

Document #4971

10/22/87

MEMORANDUM

OCTOBER 22, 1987

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: RICARDO A. MILLETT, ASSISTANT DIRECTOR
MUHAMMAD ABDUS-SABUR, DEPUTY DIRECTOR
ROBERT W. RUSH, SENIOR PROJECT MANAGER
JANET CARLSON, ASSISTANT GENERAL COUNSEL

RE: SOUTH END URBAN RENEWAL AREA, PROJECT NO. MASS R-56 -
CONFIRMATORY ORDER OF TAKING OF A PORTION OF REUSE PARCEL
16, BOUNDED BY TREMONT, DAVENPORT, AND CAMDEN STREETS AND
COLUMBUS AVENUE

SUMMARY: THIS MEMORANDUM REQUESTS THAT THE AUTHORITY MAKE A
CONFIRMATORY ORDER OF TAKING OF A PORTION OF PARCEL
16 LOCATED IN THE SOUTH END URBAN RENEWAL AREA. THE
LAND TO BE BOUNDED BY TREMONT STREET, CAMDEN STREET,
COLUMBUS AVENUE, AND A NEW STREET WILL BE CONVEYED TO
DOUGLASS PLAZA HOUSING COMPANY I LIMITED PARTNERSHIP
FOR THE DEVELOPMENT OF 164 UNITS OF MIXED-INCOME
HOUSING, 7,000 SQUARE FEET OF COMMERCIAL SPACE, AND A
146 VEHICLE UNDERGROUND GARAGE.

On June 4, 1987, Douglass Plaza Housing Company I Limited Partnership was finally designated as the redeveloper of a 97,955 square foot portion of Parcel 16. Douglass Plaza Housing Company I Limited Partnership will develop 164 units of mixed-income housing, 7,000 square feet of commercial space, and a 146-space underground garage on this portion of Parcel 16. Prior to the conveyance, it is necessary that a confirmatory order of taking be made to clear title to the portion of Parcel 16 to be conveyed to Douglass Plaza Housing Company I Limited Partnership and enable the Authority to convey good and marketable title at no cost to the Authority. It is, therefore, recommended that the Authority adopt the order of taking of a portion of South End Urban Renewal Parcel 16 as presented to this meeting.

An appropriate vote follows:

VOTED: To adopt the order of taking of a portion of South End Urban Renewal Parcel 16 as presented to this meeting.



Portion of Parcel 16/ South Urban Renewal Area/ bounded Tremont St., Columbus Ave., Camden St., and newly constructed street.

DOCUMENT NO. 101711
ADOPTED 10/22/87

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

RESOLUTION

BE IT RESOLVED by the Boston Redevelopment Authority that an ORDER OF TAKING dated *October 22, 1987* relating to portions of the SOUTH END URBAN RENEWAL AREA, Mass. R-56, be executed together with a Plan entitled, "Delivery Parcel Plan, Portion of Parcel 16, South End Urban Renewal Area, Boston Redevelopment Authority, Boston, Suffolk County, Massachusetts, dated October 22, 1987," and made a permanent part of these proceedings, a copy of which the Secretary shall cause to be recorded in the office of the Registry of Deeds for the County of Suffolk.

A true copy

CERTIFICATE

I hereby certify that the following names constitute the entire membership of the Boston Redevelopment Authority:

Robert L. Farrell
Joseph J. Walsh
James K. Flaherty

Clarence J. Jones
Michael F. Donlan

A true copy

Attest: *Mary E. Treaseley*
Assistant Secretary of the Boston Redevelopment Authority

COMMONWEALTH OF MASSACHUSETTS
SUFFOLK, SS.

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority, in accordance with G. L. c. 121B and its predecessor Statute G.L. c. 121, adopted and filed in the Suffolk County Registry of Deeds, Book 8056, page 295, and ORDER OF TAKING, dated June 30, 1966, concerning and describing the SOUTH END URBAN RENEWL AREA, all of the findings, determinations and descriptions set forth therein being incorporated herein by reference and made a part hereof; and

WHEREAS, the Boston Redevelopment Authority has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by G.L. c. 79, s. 40.

NOW, THEREFORE, BE IT ORDERED that the Boston Redevelopment Authority, acting under the provisions of said c. 121B, and all other authority thereunto enabling and pursuant the the applicable provisions of said c. 79, and of any and every power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain, for the purposes hereinbefore set forth or referred to, the area or areas located in the City of Boston as hereinafter described in ANNEX A, together with any and all easements and rights appurtenant hereto, including the trees, buildings and other structures standing upon or affixed thereto, and including the fee, if any, in all public streets, highways and public ways in said area or areas or contiguous and adjacent to the property taken hereby, provided such fee is a part of said property, except any and all easements of travel in and to any and all public streets, highways and public ways in said area or areas or contiguous and adjacent thereto.

AND FURTHER ORDERED that in accordance with the provisions of said c. 79, as amended, awards are made by the Boston Redevelopment Authority for damages sustained by the owner or owners and all other persons, including all mortgagees of record, having any and all interest in each parcel described in ANNEX A and entitled to any damages by reason of the taking hereby made. The Boston Redevelopment Authority reserves the rights to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown. The awards hereby made are set forth in ANNEX B, which ANNEX B is not to be recorded in the Registry of Deeds with the Order of Taking.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority cause this instrument of Taking to be recorded in the Suffolk County Registry of Deeds.

IN WITNESS WHEREOF, we, the following members of the Boston Redevelopment Authority have cause the corporate seal of the Authority to be hereto affixed and these presents to be signed in the name and behalf of the Boston Redevelopment Authority.

DATED:

BOSTON REDEVELOPMENT AUTHORITY

By:

Ralph L. Farrell
[Signature]
[Signature]
Channing J. Jones
Michael J. [Signature]

ATTEST:

Mary E. Healey
Asst. Secretary of the Boston Redevelopment Authority

Approved as to Form:

Ralph F. Cahill
Ralph F. Cahill, Assistant General Counsel

ANNEX A

BOSTON REDEVELOPMENT AUTHORITY

SOUTH END URBAN RENEWAL AREA

TAKING AREA DESCRIPTION

The following portion of a parcel of land is to be taken by this Order of Taking:

A portion of Parcel 16, containing approximately 97,955 square feet of land, as shown on a Plan entitled, "Delivery Parcel Plan, Portion of Parcel 16, South End Urban Renewal Area, Boston Redevelopment Authority, Boston,, Suffolk County, Massachusetts," dated October 22, 1987, and is bounded and described as follows:

Beginning at the intersection of the southeasterly line of Columbus Avenue and the southwesterly line of Camden Street;

thence running S47°-56'-00"E, along said southwesterly line of Camden Street, a distance of 391.17 feet, to the northwesterly line of Tremont Street;

thence running S53°-54'-20"W, along said northwesterly line of Tremont Street, a distance of 199.78 feet, to a point on the northerly line of an existing Metropolitan District Commission Sewer Easement;

thence running northwesterly along said northerly line of said easement, on a curve to the right having a radius of 190.00 feet, an arc distance of 180.77 feet, to a point of curvature;

thence running N48°-55'-50"W, through land of Boston Redevelopment Authority, a distance of 197.83 feet, to a point on the aforesaid southeasterly line of Columbus Avenue;

thence running N42°-15'-07"E, along said southeasterly line of Columbus Avenue, a distance of 281.35 feet, to the point of beginning.

The above parcel contains 97,955 square feet, more or less.

The owner of the parcel hereby taken is unknown.

ANNEX B

BOSTON REDEVELOPMENT AUTHORITY

SOUTH END URBAN RENEWAL AREA

AWARD OF DAMAGES

No awards are made with this Order of Taking.